

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HANGZHOU AOSHUANG E-COMMERCE CO, LTD.)	
)	
Plaintiff,)	Case No. 1:19-cv-04565
)	
v.)	Judge Martha M. Pacold
)	
ZHOU WENBO, ET AL.)	Mag. Judge Jeffrey Cole
)	
Defendants.)	
)	
<hr style="width: 50%; margin-left: 0;"/>		
ZHOU WENBO,)	
)	
Counter-Plaintiff,)	
)	
v.)	
)	
HANGZHOU AOSHUANG E-COMMERCE CO., LTD.,)	
WANG HOUBING AND DONGDONG ZHAO)	
)	
Counter-Defendants.)	
)	

**COUNTER-PLAINTIFF AND DEFENDANT ZHOU WENBO
AND ZHOU WENBO DEFENDANTS' UNOPPOSED MOTION
TO EXTEND DISPOSITIVE MOTION DEADLINE**

Counter-Plaintiff and Defendant Zhou Wenbo, (hereinafter, "Counter-Plaintiff") and the Zhou Wenbo Defendants¹ (collectively, "Zhou Wenbo") by and through their counsel, Ford

¹ Defendants No. 124-qixing; Def. No. 146-Star star in the sky; Def. No. 168--william&jack; Def. No. 41--fashion-shop113; Def. No. 186--zagoo; Def. No. 40--fashion-shop112; Def. No. 11--aztuckers; Def. No. 185--yuzebaby; Def. No. 30--dongyang743; Def. No. 39--ZOGAA3 Store; Def. No. 56--Greatmen Store; Def. No. 28--zoggaofficial store; Def. No. 82--ZOGAA SIX Store; Def. No. 25--ConvenientYourLife; Def. No. 180--yangxinyuan; Def. No.55--Goodgoods8;

Banister IP, hereby move this Honorable Court to extend the dispositive motion deadline by thirty days from November 9, 2020 or fourteen days after the Court enters a ruling either adopting or accepting the magistrate's Report and Recommendation on Plaintiff's Motion for Entry of a Preliminary Injunction [Doc. 34] and Defendants' Motion to Vacate the Preliminary Injunction Orders [Doc. 71] entered on August 10, 2020. [Doc. 323] In support of this request, Zhou Wenbo states as follows:

1. On July 16, 2020, this Court set the deadline for dispositive motions as November 9, 2020. [Doc. 316]

2. On the same day, via the same minute order, the Court referred Plaintiff's Motion for Entry of a Preliminary Injunction [Doc. 34] and Defendants' Motion to Vacate the Preliminary Injunction Orders [Doc. 71] to the magistrate for report and recommendation. [doc. 316]

3. The magistrate issued his Report and Recommendation on Plaintiff's Motion for Entry of a Preliminary Injunction [Doc. 34] and Defendants' Motion to Vacate the Preliminary Injunction Orders [Doc. 71] on August 10, 2020. [Doc. 323] The magistrate recommended that Plaintiff's motion for preliminary injunction be denied as Plaintiff has failed to demonstrate a likelihood on the merits on any of its claims. [Doc. 323 at 30]

4. Plaintiff submitted its objections to the magistrate's Report and Recommendation on August 24, 2020. [Doc. 329] On August 28, 2020, the Court set a briefing schedule on Plaintiff's objections to the magistrate's Report and Recommendation. [Doc. 331] Zhou Wenbo timely responded on September 17, 2020. [Doc. 333] Plaintiff replied on October 1, 2020. [Doc. 335]

Def. No. 173--Xiao wu big yards shop; Def. No.44--fengzifei; Def. No. 45--fengzihyt-4; Def. No. 134--Shirley Store; Zhou Wenbo (hereinafter, the "Zhou Wenbo Defendants")

5. The magistrate's Report and Recommendation [Doc. 323] addresses key questions as to the merits of Plaintiff's claims for false designation of origin and copyright infringement. This Court has not yet determined whether it will accept, in whole or in part, the magistrate's Report and Recommendation. [Id.]

6. Zhou Wenbo respectfully requests that the Court extend the dispositive motion deadline until fourteen days after it enters an order on the magistrate's Report and Recommendation [Id.] or for thirty days from November 9, 2020. Zhou Wenbo respectfully submits that the Court's order thereon will fully inform the parties as to its view on the likelihood of Plaintiff's success on the merits of Plaintiff's claims and the legal and factual basis upon which the Court arrives at its conclusion.

7. Whether the holding favors Plaintiff or Zhou Wenbo, the Court's decision will likely encourage and facilitate settlement, to the extent that any possibility of settlement remains open, and will guide the parties in their presentation of dispositive motions should their submission remain ultimately necessary. Thus, extension of the dispositive motion deadline is in the interest of judicial efficiency.

8. Further, due to circumstances created by the current health pandemic, the operations of Zhou Wenbo's counsel have been severely slowed.

9. On or about November 2, 2020, Zhou Wenbo inquired as to whether Plaintiff is opposed or unopposed to an extension for fourteen days following the Court's order on the magistrate's Report and Recommendation [Id.] or for thirty days from November 9, 2020. Zhou Wenbo followed up the following day. Plaintiff responded that it does not oppose a thirty day extension of the dispositive motion deadline. Plaintiff did not address Zhou Wenbo's suggestion

that the deadline be set for fourteen days following the Court's order on the magistrate's Report and Recommendation [Id.]

PRAYER FOR RELIEF

Wherefore, Zhou Wenbo respectfully requests that the Court enter the following relief:

- 1) That the dispositive motion deadline be extended for fourteen days following the Court's order on the magistrate's Report and Recommendation [Id.] or, in the alternative, for thirty days from November 9, 2020;
- 2) Any further and additional relief that the Court may deem necessary and appropriate.

Respectfully submitted this 3rd day of November, 2020.

/s/ L. Ford Banister, II
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